

REMARKS

Claims 1 and 9 have been amended to incorporate the limitations of claims 2 and 5 therein. Claim 1 has also been amended to address the claim objection in paragraph 3 of the Office Action. Woodgate (EP 934965) is the only reference cited against original claim 2 and therefore is the only reference relevant to the amended claims. The Examiner alleges that Woodgate discloses a method for preparing polysiloxane particles using monomethylamine, magnesium hydroxide, etc. in an amount of at least 0.01%, preferably 0.01% to 1wt%. Woodgate teaches that metal hydroxides such as magnesium hydroxide can be used as a basic material. (See paragraph [0011]) There is no indication of using a magnesium salt with a basic compound selected from the group consisting of ammonia and water soluble amine compounds. The examples presented by Woodgate show the use of ammonia hydroxide, sodium carbonate and sodium hydroxide. Use of a magnesium salt and a basic material is not shown and therefore, the methods of dependent claims are not anticipated by this reference.

In addition, the methods of Woodgate (EP 0934965 A2) employ steps in an order distinct from the order recited in claim 1. Claim 1 herein defines a method which comprises the steps of subparagraph (a) preparing an aqueous alkaline solution utilizing a basic compound (ammonia and/or water soluble amine compounds; (b) adding a magnesium salt to the aqueous alkaline solution and (c) adding an organotrialkoxy silane compound to the aqueous alkaline solution. The methods of Woodgate employ the steps recited at column 1, repeated below:

[0006] These and other objects are achieved in accordance with this invention which relates to a process for preparing polyalkylsilsesquioxane particles comprising:

- (a) dissolving a surfactant in an alkyltrialkoxysilane or its partially hydrolyzed condensate;
- (b) combining the mixture with water; and
- (c) adding a basic material to the mixture to obtain the polyalkyl silsesquioxane particles.

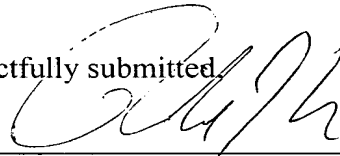
The disclosure by Woodgate clearly does not anticipate the methods claimed herein and the rejection should be withdrawn.

Woodside alleges that the methods disclosed provide polyalkylsilsesquioxane particles with an "improved monodispersity" over the prior art. (See paragraph [0007]). One skilled in the art would not be motivated to modify the methods of Woodgate to arrive at the methods of this invention in that there is no indication the advantages provided by Woodgate would be retained if a magnesium salt were used with a basic material or if the order of the steps was modified. Therefore, the methods claimed herein are unobvious over the teachings of Woodgate.

In view of the remarks, Applicants submit that the claims are in a form suitable for allowance.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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